

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

EPIC GAMES, INC.,
Plaintiff, Counter-defendant,
v.
APPLE INC.,
Defendant, Counterclaimant.

Case No. 4:20-cv-05640-YGR-TSH

**RESPONSE TO APPLE'S OBJECTION
TO A SPECIAL MASTER RULING ON
APPLE INC.'S RE-REVIEWED
DOCUMENTS**

The Honorable Thomas S. Hixson
San Francisco Courthouse
Courtroom E - 15th Floor
450 Golden Gate Avenue
San Francisco, CA 94102

Dear Magistrate Judge Hixson,

Pursuant to section 4 of the Joint Stipulation and Order Approving Privilege Re-Review Protocol (Dkt. 1092) (the “Protocol”), Epic respectfully submits the following response to Apple’s Objection to a Special Master ruling (“Objection”), filed April 10, 2025. (Dkt. 1448.)

Entry No. 2642 (PRIV-APL-EG_00098055) is an email chain about “Regulatory Fees” that Apple seeks to redact. The top email is from Terence Farrell, a non-lawyer finance manager, to Jiyeon Chang, a non-lawyer Tax Manager. Copied on the top email are non-lawyers (a product manager, accounting manager, global process manager and global finance projects employee). The two attorneys apparently implicated by the email according to Apple’s privilege log, Peter Denwood and Ling Lew, are not listed. Apple states in its Objection that the portions of the document it seeks to redact are exchanges regarding “specific legal questions to in-house counsel, requesting their view from a legal perspective”. (Dkt. 1448 at 2.) However, the Special Master reviewed this text and concluded that the “redacted text does not reflect legal advice or [a] request for legal advice”. (Dkt. 1448-1 at 2.) Absent access to the document or the redacted text, Epic cannot fully assess that conclusion or Apple’s privilege assertion.

DATED: April 14, 2025

CRAVATH, SWAINE & MOORE LLP
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Counsel for Plaintiff Epic Games, Inc.